



**Texas Juvenile Justice Department
Advisory Council**

**Minutes of Meeting
December 5, 2012**

The Texas Juvenile Justice Department Advisory Council held a meeting on December 5, 2012, at 10:00 a.m. in the Tarrant County College District, Trinity River Campus Building, Trinity Point TRTR 4050, located at 300 West Belknap, Fort Worth, TX 76102.

Call to Order

Chair Medina called the meeting to order at 10:08 a.m. Judges Thorne and Ramirez were absent due to prior court matters. Commissioner Shaheen, Mark Williams and Audrey Deckinga, were also absent due to conflicts in scheduling.

Advisory Council Members in attendance were: Homer Flores, Randy Turner, Doug Vance, Philip Hayes, William Carter, James Williams and Mike Griffiths.

Other attendees: Linda Brooke, Chief of Staff TJJD, Bret Bray, General Counsel, TJJD, Lisa Johnson CJPO Johnson County, Ken Metcalfe, CJPO Denton County, Terry Snow Smith, Director, Dallas County, Dannete Castle, CEO of Texas Council of Community Centers, Susan Garnett, Executive Director of Tarrant County Mental Health Mental Retardation.

Judge Jean Boyd, 323rd District Court, Tarrant County, attended during lunch.

Review of Minutes

A motion to approve the minutes from October 2, 2012, was made by Randy Turner, and a second by William Carter, the minutes were unanimously approved.

Mental Health Services Presentation & Discussion

Chair Medina advised that the next item was a presentation from Dannete Castle, CEO of the Texas Council of Community Centers. MHMR issues are on the top items on the legislative session. Chief

Medina asked that Randy Turner introduce Ms. Susan Garnett, Executive Director of Tarrant County Mental Health Mental Retardation. Mr. Turner advised that he has had the privilege of working with Ms. Garnett. She has served as Chair to the local Mental Health Connection and currently serves as the Executive Director of Tarrant County Mental Health Mental Retardation. Mr. Turner advised that a presentation of what is occurring in mental health initiatives; legislation, etc will be presented. Ms. Castle reported that throughout the state there are 39 community centers serving 254 counties. The state was challenged to provide Community Mental Health centers in 1965. It took from 1965 to 2000 to finalize the legislative mandate. There are many decision makers and funding is a major problem. There are issues associated with mental health, but the agency is making the Criminal Justice and Mental Health its number one issue during this 83rd Legislative session.

Such issues may present problems where jails, prisons, and detention centers have become mental health facilities. The agency believes that it benefits all to provide front end services rather than at the deep end where it is more costly. The agency is specifically making Texas Juvenile Justice Department a priority as an exceptional item for the upcoming 83rd Legislative Session. This exceptional item is to promote funds for a continuum of community MH services in the amount of 7.6 million – 4 million to hire licensed MH providers for local juvenile justice facility and 3.5 million to fund 48,000 hours of contracted mental health services. Attempting to get new funding into system is challenging. Unsure from where it will come. Ms. Castle sought feedback from TJJD Advisory Board members asking for open dialog of the problems associated with services.

Mr. Vance sought clarification on a study where attempts to downsize community mental health centers in Texas. Ms. Castle advised that a study had been conducted and the best practices document was released in October 2012, recommending not to do any downsizing of centers. These 39 community centers have 600 public hospitals and over a 1,000 (+) school districts, therefore, any downsizing would not be advantageous.

Mr. Griffiths advised that TJJD and the probation field need one voice to not supplant the work created. He suggested that the field talk one language along with other mental health officials to present a unified voice. Ms. Castle agreed that there needs to be talk on investment with policy makers, a multi-prong approach. All resources are managed by other entities, but the reality is for all to have resources available. There are a variety of perspectives about the mental health system. Ms. Castle asked for any personal experiences that TJJD Advisory Council members have had or any experiences that have been heard, this agency is listening and wants to hear concerns. Mr. Griffiths reiterated that a need for candid conversations to occur and acknowledge it.

Ms. Garnett provided her perspective with the system. She advised that she has been a critic of mental health centers when she originally began this career as an advocate. TCMHMR is collecting child characteristics and data collection. There is a shift for in-home / in-community services statewide. In Dallas County, there is a North Star Model centered on an HMO concept. Community planning and collaboration is needed to get the best needs met of psychiatric and transitional services once out of the detention center setting. Juvenile Probation is consistently seeing substance abuse disorders. All top executives of each agency must make good linkages from top to the caseworker level.

Mr. Griffiths reported that TCOOMI – re-entry and probation services need to make sure that continuity of care occurs for the youth, i.e. from facility doctors to probation agency, family involvement, medication management philosophy, and counseling.

PUBLIC COMMENT: Ms. Tomlison reflected her perspective of the mental health system in Johnson County. This system is not a customer service based environment for probation staff or family. She described an incident that occurred of a youth committed to the state school. Now has been reclassified as MR and is out of medication. There are no psychiatrists in Johnson County and families need to travel to Weatherford which is 30 to 50 miles in distance. The youth is out of medications and needs this type of med. The families do not want to go to Weatherford and this creates a huge problem for the area.

Ms. Castle acknowledged this concern of the shortage of psychiatric doctors and the travel distance. She encouraged the TJJD Advisory Board to contact / meet with the Executive Directors of the Community Mental Health within their respective regions to start the communication process.

Mr. Turner advised that there are seven regions of chief associations and this information can be provided to the chief's at these meetings. Mr. Griffiths also advised that a statewide chief's meeting also occurs one to two times a year. This is another way to get this information disbursed.

Next, Ms. Castle distributed information on the 1115 Transformation Waiver. This waiver has the potential to change the financial impact on the state Mental Health Services. Centers for Medicare and Medicaid Services (CMS) and Texas Health and Human Services (HHSC) have created a transformation and quality improvement 1115 demonstration waiver, which aims to transform the health care delivery system for low-income Texas and includes an increased focus on access to quality behavioral health services as a recognized means to improve on an individual and system level outcomes. Regional Healthcare Partnerships, of which there are 20 throughout the state, have identified gaps and serves as the vehicle for receiving new federal funding as incentive payments for local projects. The funding requires a cash match from the partnerships. These partnerships include consumers, advocates, and private providers, public hospitals, governmental entities, school districts, etc., to plan and implement innovative and effective solutions for addressing behavioral healthcare needs throughout the regions. There are projects that include expanding integrated physical and behavioral health clinics, crisis stabilization services, telemedicine, health information exchange, workforce development and peer support. It may also include diagnosis and functional limitations that are not currently eligible for funding. Ms. Garnett advised that this waiver presents opportunity for collaboration. Deadline for submission of regional plans to HHSC and CMS is December 31, 2012. Ms. Castle encouraged Advisory Board members to contact their regional healthcare partnership representative.

Chair Medina reported that the TJJD Advisory Council is committed in supporting the mental health work. With community-based programming placing more youth in the community, basic services, counseling, transportation deliverables are in need for all counties, no matter what size the county is.

On a final note, Ms. Castle announced that the 39 regional areas representatives meet quarterly in Austin. In addition, there is an expansion of managed care Star Plus to “carve in” a concept of the North Star system. The expansion will support assessments, behavioral and emotional disturbances, and mental health. Attempts to get well qualified practitioners in the system are underway. This will be an integrated health home wraparound program.

TJJD Updates and Introductions

Mr. Griffiths reported that he has been meeting with chief’s associations, secure facility staff, halfway houses. The department is reviewing policy, practice and looking at the upcoming legislative session. Mr. Griffiths is sensitive to the concerns of the secure facility staff after the merger and what emotions surround this move; looked at how this merger affects those staff in particular. These facility staff conversations have been frank and mostly concern that TYC has no continuity and was a drastic change to the agency.

There is a new software system for Interstate Compact that TJJD continues to test and determine that there are issues with this system. Once the issues are fixed, this system is going to be amazing. It looks as if the 2nd quarter of 2013 will be when the new system is rolled out to the field.

There is an upcoming PREA meeting the second week in January for probation staff to attend a 2 ½ day training. More information on this training is forthcoming. Details on hotel issues are still pending.

Update Regarding TJJD Legislative Appropriations Request

Mr. Griffiths reported on LAR/LBB information. There are modifications to the budget. Youth in security setting are 1:4 ratios. Consideration on providing relief staff when regular staff is on family medical leave, vacation, sick, etc., funding is being requested. Also discussed was providing a skill set to youth in secure facilities. Nancy Arrigona determined that the statistics advise that at exit from the facility the average age of the youth is 17 years of age or order. This statistic is 52% compared to 30% a couple of years ago. These youth are adults and need a skill of some type. There will be bond money to enhance these programs of 6.2 million in allocations.

Structure of funding request for the upcoming session was discussed. During the 82nd legislative session there the funding was under one grant. Now there is a proposal for two grants – supervision and community based services. There are multiple formulas: rural, middle, and urban counties. TJJD will make these changes seamless as possible and then again, the LBB may keep it as is. There is no known genesis behind the change. Angela Isaac is from the LBB and a point of contact. Presentation to the LPP will be how TJJD began. Bolster and increase deep end resources. Dr. Tony Fabelo is volunteering to assist.

Mr. Griffiths asked the Advisory Council members about any feedback about monitoring process. The consensus was that it was a smooth and very open process. A phone listing of who to call for the different sectors within TJJD was requested.

An update on JCMS and Assessment.Com was provided.

Chair Medina advised that the probation field will wait to hear from TJJJ concerning LBB and grant funding as well as when to engage the legislative process.

Chair Medina acknowledged that Judge Boyd was at the meeting.

Mental Health Survey Summary and Review

Chair Medina reported that there was a good response to the MH survey and all regions responded. A total of 70+ counties returned their survey. Information was distributed to members of the information after capturing a format for better analysis. For departments that serve more than one county, the largest county was listed. The format was by facility and county. Then, subsets of like questions were captured. This data could be reformatted to incorporate and capture each county represented. Feedback and discussion occurred. This information could be used to represent the one voice from the juvenile justice field. Some legislative members do not want to label kids. The document could include examples of narratives.

In addition, Mr. Vance advised that another component of the mental health report is being developed and will be forwarded to the Advisory Council. This report has what types of maladaptive behaviors that detention centers see with the youth being detained. There are misconceptions to freshman representative members. Data needs to be clear and formatted front and back. Both reports will be incorporated into one report.

PUBLIC COMMENT: Ms. Tomlison advised that a bill was in the preliminary filing to require assessments, HB 144, filed by Raymond, reflects changes to Chapter 51, and adds substance abuse as co-occurring factor.

Chair Medina asked for the reports to be sent to her office.

Updates from TJJJ Board Meeting November 16, 2012

Chair Medina advised after providing an update to the TJJJ Board, that the Chair of the Board had indicated that the Public Comment section on the TJJJ Board meeting would continue to be placed on the agenda as it stands. Mr. Bray, TJJJ General Counsel, advised that this item will be discussed further. The way the agenda is at present, the public comment is at the end of the agenda and not after each item.

Sub-Committee Report

Mr. Vance reported that his committee reviewed the 343 Addendum / revision to the State Financial Assistance Contract/Odyssey. The effective dates for these addendums are September 2013. The

committee did not tackle the standards as of yet, but it is a priority. Once finalized, will send to Advisory Council for review around January 2013, and then to the TJJD Board in February 2013. Discussed negotiated rule making and how to implement. Mr. Bray reported that the negotiated rule making will be forthcoming. In addition, he discussed the secure standards for the secure side.

Review and Discussion: Proposed Rules for Certified Officer Discipline Guidelines

Chair Medina advised that the next item was Certified Officer Discipline Guidelines. Mr. Bray apologized for the last minute distribution of the information on this item. This information is to streamline the process when an investigation occurs and to un-complicate the process. He advised that currently it takes up to two to three years for completion of cases. Described the process that a probation officer has the right to appeal, an independent attorney reviews the case for safeguarding purposes. It is hoped that this new process will streamline the process and end the backlog of cases. The information that was distributed is a matrix and suggests reviewing it; and then providing feedback by December 28, 2013, to William Carter. Ms. Brooke advised that monthly emails are sent to departments updating on the status of disciplinary cases.

Introduce the work of the TJJD Legislative Workgroup

Mr. Bray advised that the recommendations of the TJJD Legislative Workgroup is not ready to distribute yet, but are close to disseminating the information to defense attorneys, county, judges, district attorneys, and stakeholders.

Regarding potential legislative matters, Mr. Turner asked for clarification or for a status concerning a potential bill regarding the commitment of youth and its impact on the counties. Chair Medina advised of a proposal in Travis County to reduce commitments to zero. There have been mixed responses but it is not mandatory and a discretionary proposal/bill. The proposal initially was intended to be a pilot program and was then expanded for potential interest by other counties.

Due to the interest for feedback and discussion, Chief Medina requested permission to address questions, not in her role as Chair of the Advisory Board, but in terms of Travis County. Since this item was not on the agenda, she also indicated this could be taken up at a later time, if so requested. The interest for discussion by those present continued.

Mr. Turner had concerns due to financial impact and wanted to better understand. He opposes this pilot program due to local control of commitments. He advised that he wanted to understand what the bill looks like. Mr. Vance had some questions. Ms. Medina advised that she understood that there would be questions regarding resources, programming and funding. She added that it is not meant to be mandatory for any counties and that there is no interest to take funding from the other counties or from any existing funding from the state; but rather to seek new funding. At the current time, the status of the proposal was pending. Ms. Medina informed that she will send a copy of the draft to anyone interested.

PUBLIC COMMENT: Ms. Tomlison advised that she had concerns that this bill would open the door to making it mandatory after the pilot program is implemented and legislators think it is a positive way to do business. It opens the door to the possibility for mandatory commitments at the county level. There are many concerns developing programs, length of stay issues at the post-adjudication level. Questioned why not let the state process occur for commitments. It is extremely hard to keep youth for the possibility of years. Ms. Medina advised that this was not directed at TJJD, in any negative manner, but rather, Travis County's interest in its continuum of care and services. She acknowledged that there would be a need for TJJD services by some counties.

TJJD representative, James Williams, advised that he had concerns with this idea on the small county level and how these counties would be affected. He referenced his concerns with the potential bill.

Advisory Council Updates / Announcements

Mr. Griffiths advised that there are five Advisory Council members up for reappointment in February 2013, and these will be reviewed. He announced that James William is now a member of the TJJD Advisory Council.

Schedule Next Meeting

Chair Medina advised that the Judges on the Advisory Council have asked that meetings be scheduled on a different day of the week due to court and docket matters. A suggestion of Thursday was discussed. It was agreed that February 7, 2013, would be the next scheduled meeting for the TJJD Advisory County. This is on a Thursday and the location will be Austin, TX. More details are forthcoming as to the exact location

Adjourn

With no other discussion or public comment, the meeting adjourned at 2:30 pm.

Chief Medina thanked the Tarrant County staff and Mr. Turner for hosting the meeting.

Prepared By: _____

Approved: _____